



## County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA  
Chief Executive Officer

March 4, 2009

To: Supervisor Don Knabe, Chairman  
Supervisor Gloria Molina  
Supervisor Mark Ridley-Thomas  
Supervisor Zev Yaroslavsky  
Supervisor Michael D. Antonovich

From: William T Fujioka  
Chief Executive Officer

A handwritten signature in black ink, appearing to be "W. T. Fujioka", is written over the printed name of the Chief Executive Officer.

Board of Supervisors  
GLORIA MOLINA  
First District

MARK RIDLEY-THOMAS  
Second District

ZEV YAROSLAVSKY  
Third District

DON KNABE  
Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

### **RESPONSE TO THE BOARD ORDER TO SEND A FIVE-SIGNATURE LETTER TO GOVERNOR SCHWARZENEGGER AND THE STATE LEGISLATURE REQUESTING MANDATORY SCHOOL BUS SEAT BELTS (ITEM NO. 4, AGENDA OF FEBRUARY 10, 2009)**

On February 10, 2009, your Board approved a motion by Supervisor Antonovich to send a five-signature letter to Governor Schwarzenegger and the State Legislature requesting mandatory school bus seat belts. We have identified existing State laws and Federal regulations that address this issue.

#### **Existing State Law**

Our office conducted a review of applicable State and Federal laws related to this issue. On October 5, 2001, SB 568 (Morrow), Chapter 581 of 2001, was signed into law to require all school buses to be equipped with a combination of pelvic and upper torso seat belts, unless prohibited by the National Highway Transportation Safety Administration (NHTSA). SB 568 required that school buses with a capacity of less than 16 passengers meet these requirements by July 1, 2004 and buses with a capacity of more than 16 passengers comply by July 1, 2005. SB 568 also requires that restraint systems in school buses meet Federal Motor Vehicle Safety Standards, which require small buses to have lap and shoulder belts at each passenger seat. The legislation also stipulated that no person, school district or organization, may be charged for a violation of the requirement to use a passenger restraint system, if the passenger in the school bus fails to use or improperly uses the restraint system.

*"To Enrich Lives Through Effective And Caring Service"*

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The California Highway Patrol (CHP) indicates that to ensure compliance with existing laws, it conducts physical inspections of every school bus in the State every 13 months. Buses that meet the requirements are certified for use and those that fail are no longer allowed to transport students. The CHP further reports that code violations are not a significant problem as during the period between 2005 and 2008, the CHP only issued 18 citations for this type of violation.

### **Existing Federal Regulations**

At the Federal level, the NHTSA issued rules in October 2008 requiring small buses to have lap and shoulder belts at each passenger seat. However, the rules did not mandate these requirements for large school buses (over 10,000 pounds). According to the NHTSA, the best way to provide crash protection to passengers of large buses is through compartmentalization, which requires that the interior of school buses provide occupant protection without the need for seat belts. Occupant crash protection is provided by a protective envelope consisting of strong, closely-spaced seats that have energy-absorbing backs. According to NHTSA's research, as well as studies conducted by the National Transportation Safety Board and the National Academy of Sciences, compartmentalization has been effective in protecting school bus passengers and the addition of seat belts does not improve occupant protection in large buses.

If you have any questions or require additional information, please contact me or your staff may contact Ron Morales at (213) 974-1327 or via e-mail at [rmorales@ceo.lacounty.gov](mailto:rmorales@ceo.lacounty.gov)

WTF:GK:ML  
MR:RM:sb

c: Executive Officer, Board of Supervisors  
County Counsel